

**AMEND**

## RECOMMENDED TO AMEND

### HHS

**33.27.** (DHHS: Optional State Supplement Adjustments) Cost-of-living adjustments in benefit payments made by the federal government will result in adjustments in the Optional State Supplementation (OSS) Program as determined necessary by the Department of Health and Human Services to ensure that payment amounts are not reduced. The department shall adjust the OSS net income limitation, the OSS facility rate, and the personal needs allowance to ensure that payment amounts are not reduced. OSS benefit payment amounts shall be adjusted to reflect the changes in recipients' countable income. ~~The department shall make a one-time payment in Fiscal Year 2021-22 to account for the cost-of-living adjustments which occurred in the prior two fiscal years.~~

### DHEC

**34.58.** (DHEC: Solar Projects) From the funds appropriated to the Department of Health and Environmental Control, and within one hundred and twenty days after the effective date of this act, the department ~~shall submit regulations to guide all South Carolinians invested in, selling, installing, and using~~ **provide recommendations for the regulation of** photovoltaic modules and energy storage system batteries in the management of end-of-life photovoltaic modules and energy storage system batteries on solar projects and the decommissioning of solar projects in excess of thirteen acres. Management of end-of-life photovoltaic modules and energy storage system batteries shall include both partial refurbishing of a solar project and complete decommissioning. In the development of these rules, the department shall collaborate with stakeholders and shall consider all of the following matters:

(1) Whether photovoltaic modules, energy storage system batteries, their materials, or other equipment used in utility-scale solar projects exhibit any of the characteristics of hazardous waste, as identified in 40 C.F.R. Part 261, or under rules adopted pursuant to the S.C. Hazardous Waste Management Act, Section 44-56-10 of the 1976 Code, or if any such equipment is properly characterized as solid waste under State and Federal law.

(2) Preferred methods to responsibly manage end-of-life photovoltaic modules, energy storage system batteries, or the constituent materials thereof, or other equipment used in utility-scale solar projects, including the extent to which such equipment may be:

- (a) reused, if not damaged or in need of repair, for a similar purpose;
- (b) refurbished, if not substantially damaged, and reused for a similar purpose;
- (c) recycled with recovery of materials for similar or other purposes;

(d) safely disposed of in construction and demolition or municipal solid waste landfills for material that does not exhibit any of the characteristics of hazardous waste under state or federal law; or

(e) safely disposed of in accordance with state and federal requirements governing hazardous waste for materials that exhibit any of the characteristics of hazardous waste under state or federal law.

(3) The volume of photovoltaic modules and energy storage system batteries currently in use in the State, and projections, based upon the data on life cycle identified currently on impacts that may be expected to the State's landfill capacity if landfill disposal is permitted for such equipment at end-of-life.

(4) Whether or not adequate financial assurance requirements are necessary to ensure proper decommissioning of solar projects in excess of thirteen acres upon cessation of operations.

(5) Infrastructure that may be needed to develop a practical, effective, and cost-effective means to collect and transport end-of-life photovoltaic modules, energy storage system batteries, and other equipment used in utility-scale solar projects for reuse, refurbishment, recycling, or disposal.

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(6) Whether or not manufacturer or installer stewardship programs for the recycling of end-of-life photovoltaic modules and energy storage system batteries should be established for applications other than utility-scale solar project installations, and if so, fees that should be established for these manufacturers and installers to support the implementation of such requirements.

The department shall submit interim reports to the Chairman of the Senate Judiciary Committee and the Chairman of the House Labor, Commerce and Industry Committee on all activities pursuant to this provision on a quarterly basis beginning July 1, ~~2021~~ **2022**, and shall submit a final report with findings, including stakeholder input, to the to the Chairman of the Senate Judiciary Committee and the Chairman of the House Labor, Commerce and Industry Committee no later than June 30, ~~2022~~ **2023**.

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| <b>General Provisions</b> |
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**117.93.** (GP: BabyNet Quarterly Reports) The School for the Deaf and Blind, the Department of Disabilities and Special Needs, the Department of Health and Human Services, ***and*** the Department of Mental Health ~~and the Department of Social Services~~ shall each provide on a common template, a quarterly report to the Chairman of the House Ways and Means Committee and the Chairman of Senate Finance outlining all programs provided by them for BabyNet; all federal funds received and expended on BabyNet and all state funds expended on BabyNet. Each entity and agency shall report on its share of the state's ongoing maintenance of effort as defined by the US Department of Education under IDEA Part C.